

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP – GADWAL - Mahabubnagar District – Makthal (Mandal) - Anugonda (Village) - O.P.No. 87/2000, 112/2000, 137/2000, 162/2000, 275/2000, 276/2000, 246/2000 and 307/2000 - Sanction of decretal charges of **Rs.2,73,58,178/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 681

DATE:06.09.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/889/08,dt:29.08.08 alongwith the letter of Spl.Collector, Bheema Project, Mahabubnagar.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.87/2000, 112/2000, 137/2000, 162/2000, 275/2000, 276/2000, 246/2000 and 307/2000 pertaining to Anugonda (Village) of Makthal (M) Mahabubnagar District. The then SDC, LA, PJP, Gadwal had acquired the lands for an extent of Ac.234-37 gts situated in the limits of Anugonda (V) Makthal (M) by fixing the market value @Rs.38,000/-, Rs.36,000/-, Rs.26,000/- and Rs.20,000/- through Award No.63/99, dt:31.07.1999 for the purpose of submergence. Aggrieved with the market value awarded by the LAO, the Awardees have filed petitions u/s 18 (1) of the L.A. Act for adjudication. The Sr.Civil Judge, Gadwal had delivered judgments enhancing the market value from @Rs.38,000/-, Rs.36,000/-, Rs.26,000/- and Rs.20,000/- to Rs.1,00,000/-, Rs.1,00,000/-, Rs.70,000/-, Rs.70,000/-.. The Asst.Govt.Pleader, Narayanpet has advised to file appeal before the Hon'ble High Court. Accordingly, SDC made appeal in Hon'ble High Court of A.P, Hyd on 20.12.2004. The Hon'ble High Court of A.P, Hyderabad granted Interim Stay orders in (182) O.Ps. Accordingly, the Spl.Collector, SSP, Kurnool has sanctioned an amount of Rs.1,61,74,976/- and the same was deposited in Civil Court on 16.09.2005, 30.09.05, 19.12.05 and 26.12.2005. Finally, the Hon'ble High Court has dismissed the appeals by confirming the Lower Court orders. The claimants were filed W.P.No.27094/07 before the H.C of A.P, Hyderabad and the same was dismissed on 20.12.07 with a direction that the detailed reasons recorded in the order dt:12.11.2007 passed in W.P.No.18841/07, wherein the said batch closed by recording the submission of Govt.Pleader for L.A that Govt.requires two months time to deposit the awarded amount to the credit of E.Ps. The stipulated time granted by the Hon'ble H.C of A.P, Hyd has been expired on 19.02.2008. Hence, the claimants filed Contempt case against the Govt.Officers in CC No.901/2008.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.2,73,58,178/- (Rupees Two crores seventy three lakhs fifty eight thousand one hundred and seventy eight only)** in respect of C.C.No.901/2008 against O.P.No.87/2000, 112/2000, 137/2000, 162/2000, 275/2000, 276/2000, 246/2000 and 307/2000 pertaining to Anugonda (Village) Makthal (Mandal) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action

should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

- 3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 – NSP– SH (26) – Dams and Appurtenant works - 530 Major Works – 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of re-appropriation.
- 4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.3973/F2(2)/2008-1, dated 05.09.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA,Bheema Project, Mahabubnagar.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No. 22685/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER